



SO ORDERED.

SIGNED this 21 day of July, 2005.


LARRY E. KELLY
UNITED STATES CHIEF BANKRUPTCY JUDGE

United States Bankruptcy Court For The Western District Of Texas /Waco Division

RAY HENDREN, CHAPTER 13 TRUSTEE
 101 East 9th Street
 Suite 1200
 Austin, TX 78701-2402

Case Number 04-62831 LK

Chapter 13

IN RE: **JAY WALTON PRUETT**
2723 W. BIG ELM
TROY TX 76579

**ORDER CONFIRMING THE PLAN AND
 VALUING CLAIMS TO BE PAID**

Debtor's SSN: XXX-XX-5028

JAMES O CURE
2584 BLUE MEADOW DR
TEMPLE TX 76502

ORDER CONFIRMING THE PLAN AND VALUING CLAIMS TO BE PAID

It having been determined after Motion and Hearing that the Plan or, if applicable, the Amended Plan filed by the debtor(s) on January 5, 2005 complies with the provisions of Chapter 13 (11 U.S.C. Sec 1301, et seq), and with all other applicable provisions of Title 11 of the United States Code; and that all fees and charges to be paid before confirmation have been paid, this Court concludes that the Plan should be confirmed, therefore,

IT IS ORDERED THAT:

1. The plan be and it hereby is confirmed. Unless otherwise provided for in this Order said plan is to continue for no less than 58 months or until \$27,550.00 is paid. However, if the Plan calls for payment of 100% of the outstanding unsecured debt, it shall continue for the greater of the number of months called for in the Plan or the period of time necessary to pay the total amount of payments directed in the Plan. In no event shall the duration of the plan exceed sixty (60) months.

2. Beginning thirty (30) days after the filing of the original Plan, and on the 5th day of each month thereafter until further order, the debtor(s) shall pay to the Trustee, Ray Hendren, Chapter 13 Trustee, P.O. Box 807, San Antonio TX 78293-0807, the sum of \$475.00 for 58 months or until \$27,550.00 is paid into the plan.

However, should the Debtor(s) become more than sixty (60) days delinquent in making such Plan payments to the Chapter 13 Trustee, then upon certification of such delinquency by the Chapter 13 Trustee, this case will be dismissed without further notice or hearing. Further, this Order is without prejudice to the right of any party to request an employer pay order at a subsequent date.

3. The Debtor(s) have agreed that the Plan of this proceeding shall require that all of the disposable income of the debtor(s) shall be submitted to the payment of creditors of this estate from the beginning date of the first payment until the Plan may be terminated, and that they will provide such information as may be requested by the Standing Trustee to exhibit the disposable income.

4. The Debtor(s) represent that, as of the date of the confirmation hearing, they will be current on all post-petition direct payments; and if they are not, they will not ask for confirmation; and that confirmation will preclude any right the debtor(s) may otherwise have to later seek a modification of the plan to deal with any pre-confirmation defaults on direct payments.

5. In addition, all secured creditors shall retain their liens to the extent that they are not avoided or modified by specific Court Order.

6. The claims which have been recited on the Trustee's Exhibit of Claims to be Paid and Valuation of Collateral are deemed allowed and are valued for distribution pursuant to this Order Confirming the debtor's(s') plan and other Orders of this Court.

Pursuant to Bankruptcy Rule 3002, claims not filed by the deadline to file proofs of claim shall be deemed disallowed and will not be paid by the Trustee except as otherwise allowed in this Order Confirming the Plan or other Order entered by the Court.

7. Notwithstanding 11 U.S.C. Sec 347 Unclaimed Property, a claim previously allowed may be disallowed pursuant to 11 U.S.C. Sec 502 for failure to maintain a current address with the United States Bankruptcy Clerk or negotiate Chapter 13 Trustee checks within the time limit specified on the check. Funds previously allocated by the plan for such disallowed claims will be paid to other allowed claims pursuant to the debtor's(s') Plan.

8. This Plan provides for concurrent payments to unsecured creditors, if applicable. The amount of the concurrent payments is based on the claims as allowed by the Order. Concurrent payments may be adjusted at any time by the Trustee without notice to parties based on administrative needs.

ORDER ON MOTIONS TO VALUE AND OBJECTIONS TO CLAIMS

Claim No.	Claimant	Disposition	Date Order Entered	Claim Type	Value / Claim	Int.
------------------	-----------------	--------------------	-------------------------------	-------------------	--------------------------	-------------

Confirmation Recommended by:

/s/ Ray Hendren

**RAY HENDREN CH13 TRUSTEE
101 E 9TH STREET
SUITE 1200
AUSTIN TX 78701-2402**

**Austin (512) 474-6309
Waco (254) 755-0277
Killeen (254) 634-1651**

IN RE: **JAY WALTON PRUETT**
2723 W. BIG ELM
TROY TX 76579

Case Number: 04-62831 LK
Chapter 13

Debtor's SSN: XXX-XX-5028

Codebtor's SSN:

TRUSTEE'S EXHIBIT OF CLAIMS TO BE PAID
AND VALUATION OF COLLATERAL

(Attachment to Order Confirming Plan for Cases Filed After October, 1991)

TO: DEBTOR(S) AND DEBTOR'S(S') ATTORNEY:

NOTICE IS HEREBY GIVEN of claims allowed and valued or claims "not filed" with the Trustee by the creditor named below in the amount set forth below, and of the intention of Ray Hendren, Chapter 13 Trustee, to pay the FILED claims, as classified.

Claim No.	Creditor Name and Address	Creditor No.	Account No.	Amount	Per Mo	Interest %
	JAMES O CURE 2584 BLUE MEADOW DR TEMPLE TX		Classification: ATTORNEY	1800.00	.00	.00%
0016	ASCENSION CAP/THE RAMSEY LAW PO BOX 201347 ATTN: CAPITAL ONE DEPT ARLINGTON TX 76006	203324 Classification: Comment:	0061373470 NOTICE ONLY COMPASS BANK	.00	.00	.00%
0012	ATTORNEY GENERAL OF THE US MAIN JUSTICE BLDG ROOM 5111 10TH & CONSTITUTION AVE NW WASHINGTON DC 20530	536664 Classification: Comment:	NOTICE ONLY	.00	.00	.00%
0010	ATTY GEN OFF/CHILD SUPPORT DIV PO BOX 659791 SAN ANTONIO TX 78265-9941	990505 Classification: Comment:	AG 0010357699 PAY DIRECT W/DBTR AS DIRECT PAY CHILD SUPPORT/NOSCHA	372.00	.00	.00%
0001	BELL COUNTY TAX APPRAISAL DIST PO BOX 390 BELTON TX 76513	019542 Classification: Comment:	95429 SECURED NOT FILED 00-04 TAXES	.00	.00	.00%
0008	BELL COUNTY TAX APPRAISAL DIST PO BOX 390 BELTON TX 76513	019542 Classification: Comment:	PAY DIRECT W/DBTR AS DIRECT PAY 2005 TAXES	.00	.00	.00%
0015	BELL TAD %MCCREARY VESELKA BRAGG & ALLE PO BOX 26990 AUSTIN TX 78755	028055 Classification: Comment:	95429 SECURED 00/01/03/04 TAXES	2475.78	.00	12.00%
0002	COMPASS BANK %ASCENSION CAPITAL GROUP LTD PO BOX 201347 ARLINGTON TX 76006	422383 Classification: Comment:	0061373470 PAY DIRECT W/DBTR AS DIRECT PAY HOMESTEAD	21070.74	262.00	.00%
0003	COMPASS BANK %ASCENSION CAPITAL GROUP LTD PO BOX 201347 ARLINGTON TX 76006	422383 Classification: Comment:	0061373470 ARREARAGE HOMESTEAD	1909.66	.00	10.00%

Claim No.	Creditor Name and Address	Creditor No.	Account No.	Amount	Per Mo	Interest %
0004	DITECH COM PO BOX 79135 PHOENIX AZ 85062-9135	491679 Classification: Comment:	8127175946 PAY DIRECT W/DBTR AS HOMESTEAD	10906.04	130.79	.00%
0005	DITECH COM PO BOX 79135 PHOENIX AZ 85062-9135	491679 Classification: Comment:	8127175946 ARREARAGE HOMESTEAD	1600.00	.00	10.50%
0006	HARLEY-DAVIDSON CREDIT PO BOX 21850 BANKRUPTCY DEPT CARSON CITY NV 89706	098649 Classification: Comment:	20000600984121 SECURED 99 HARLEY-DAVIDSON	12645.54	.00	6.00%
0009	INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114	010500 Classification: Comment:	5028 BALANCE DUE ZERO 03 1040	.00	.00	.00%
0017	INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114	010500 Classification: Comment:	5028 UNSECURED PORTION OF PENALTY	28.95	.00	.00%
0014	MCCREARY VESELKA BRAGG ALLEN PO BOX 26990 AUSTIN TX 78755	015779 Classification: Comment:	NOTICE ONLY BELL TAD	.00	.00	.00%
0011	PERDUE BRANDON FIELDER COLLINS & MOTT LLP PO BOX 817 LUBBOCK TX 79408-0817	095799 Classification: Comment:	NOTICE ONLY	.00	.00	.00%
0007	SCURRY COUNTY TAX OFFICE C/O LAURA J MONROE PO BOX 817 LUBBOCK TX 79408-0817	101799 Classification: Comment:	010208400000201320 SECURED 88-92 94-04 TAXES	630.37	.00	12.00%
0013	UNITED STATES ATTORNEY IRS 601 NW LOOP 410 #600 SAN ANTONIO TX 78216-5512	497883 Classification: Comment:	NOTICE ONLY	.00	.00	.00%

Pursuant to 11 U.S.C. 502(a), Rule 3007, and the Standing Order for Chapter13 case administration for Waco and Austin Divisions, the claims which have been filed as stated above have been deemed allowed and valued or "not filed" as set forth above, for purposes of distribution and the "FILED" claims shall be paid by the Trustee.

/s/ Ray Hendren

RAY HENDREN CH13 TRUSTEE
101 E 9TH STREET
SUITE 1200
AUSTIN TX 78701-2402

Austin (512) 474-6309
Waco (254) 755-0277
Killeen (254) 634-1651

###